

Form the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF OFFICE OF THE INVENTION
APPROPRIATE INTERNATIONAL PRIORITY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
(OF THE PATENT COOPERATION TREATY)
(PCT Rules 11bis, 12.1 and 12.2)

To:

YOSHITAKE, Kengo
Myoken Patent & Law Office
c/o Marumori & Co. Ltd.
Chiyoda-ku, Tokyo 100-0005
JAPAN

Room 303, 3rd Bldg.

Date of mailing, *(day, month, year)*:

18 January 2007 (18.01.2007)

Applicant's agent's file reference
152673.265

IMPORTANT NOTIFICATION

International application No.
PCT/JP2005/005100

International filing date, *(day, month, year)*
27 March 2005 (27.03.2005)

Applicant:

TOSHIBA KIKAI KABUSHIKI KAISHA et al

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of this translation have been transmitted to the following designated or elected Office(s) requiring such translation:

EP, CR

The following designated or elected Office(s), having waived the requirement for such a translation at this time, will receive copies of this translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BE, BG, BR, BW, BY, CA, CH, CN, CO, CR, CZ, DE, DK, DM, DZ, EA, EG, EE, ES, FI, GE, GD, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LU, LV, MA, MG, MK, MN, MW, MX, MY, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, this translation must consist of a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office *notified* within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

(1) International Bureau of WIPO
34 chemin de la Closerie,
1211 Geneva 28, Switzerland

Authorized officer

Yoshiko Kuwahara

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TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

PCT Article 34 and Rule 20b

Applicant's No. (only for the case of a national application)	FOR FURTHER ACTION	See Rule 20b PCT, Article 34
152576-283		
International filing date (date of receipt)	International filing date (date of receipt)	Date of receipt (date of receipt)
PCT/JP2005/005100	22.03.2005	22.03.2004
International Patent Classification (IPC) in national classification of PCT		
C23C28/00, B22C1/00, B22C9/06, B22D17/22, C23C24/08		

Inventor

TOSHIBA KIKAI KABUSHIKI KAISHA

1. This report is the International Preliminary Examination Report, established by this International Preliminary Examining Authority under Article 34, and transmitted to its applicant according to Article 36.

2. This International Preliminary Examination Report consists of 6 sheets, including the cover sheet.

3. This report is also accompanied by ANGLES accompanying:

- a. ☐ None to the Applicant and to the International Bureau a total of _____ sheets, including the cover sheet.
- ☐ None to the Applicant and to the International Bureau a total of _____ sheets, including the cover sheet, which have been accepted and are the subject of the report of the Authority concerning restitutions submitted by the Applicant, in accordance with Rule 20.6 and Section 20.6 of the Administrative Regulations.
- ☐ None to the Applicant and to the International Bureau a total of _____ sheets, including the cover sheet, which the Authority considers contain an amended international application beyond the disclosure in the international application as filed, as indicated in Item 4 of Rule 20.6 and the Administrative Regulations.
- b. ☐ None to the Applicant and to the International Bureau a total of _____ sheets, including the cover sheet, of electronic format.

_____ contains a request for priority. The request is in compliance with the requirements of the Administrative Regulations, and is in compliance with the requirements of the Administrative Regulations.

4. The report contains information relating to the following items:

- ☒ Box No. I: Basis of the report.
- ☐ Box No. II: Priority.
- ☐ Box No. III: Description of the invention, with regard to novelty, inventive step and industrial applicability.
- ☐ Box No. IV: Basis of the report of the Authority.
- ☒ Box No. V: Referred to under Article 34, with regard to novelty, inventive step and industrial applicability.
- ☐ Box No. VI: Certain disclosures.
- ☐ Box No. VII: Certain defects in the international application.
- ☐ Box No. VIII: Certain observations on the international application.

Date of receipt of the report	Date of completion of the report
Date of transmission and receipt of the report	Date of receipt of the report
Signature of the Applicant	Signature of the Authority

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP93/01517X/1-2/3

Box No. 3 Date of the report

1. Sub-claims in the language that appears in the international application in the language in which it was filed, insofar as they are included under (a) above,

- ☐ have been translated on most claims in the original language into the relevant language in the language of a translation included in the comparison;
☐ in national search (Rule 12.3 and 12.4(b));
☐ publication of the international application (Rule 11.3);
☐ international preliminary examination (Rule 26.2 and 26.3);

"In case, and for the elements of the international application, this column has been completed only when the applicant has provided the necessary information for the purpose of the international preliminary examination."

- ☒ the international application is originally filed/contains the following:

pages as claimed in the claims of

pages received by the Authority on

pages received by the Authority on

- ☐ the claims
 are as originally filed/are in

..... as amended/changed with any subsequent amendments by

received by the Authority on

received by the Authority on

- ☐ the drawings
 figures as originally filed/are in

figures received by the Authority on

figures received by the Authority on

- ☐ a sequence listing and/or related document, as required by the Rules of the PCT, in the form of a

- ☐ The amendments have resulted in the cancellation of

the description, pages

the claims, pages

the drawings, sheet(s)

the sequence listing(s)

any other information submitted by the applicant

- ☐ This report has been prepared on the basis of the amendments contained in this report and based below has been a modification of the original application as filed, as indicated in the International Preliminary Report on Patentability (Rule 26.2)

the description, pages

the claims, pages

the drawings, sheet(s)

the sequence listing(s)

any other information submitted by the applicant

Please complete this report on the basis of the original application.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/001100

Box No. Y	Received document under Article 17(1) with regard to a valid, inventive step in the international application; does not set out explanations supporting each claim		
Examiner:			
Novelty (1)	Claim	1-15	YES
	Claim		NO
Inventive step (2)	Claim	2, 3, 4, 7, 10-12	YES
	Claim	1, 5, 6, 8, 9	NO
Industrial applicability (3A)	Claim	1-12	YES
	Claim		NO

2. Prior art and explanation of the claims

The following documents are cited in the international search report.

- Document 1: JP 06-219687 A (Kobun Gasei, Ltd.), 16 September 1996, paragraphs [0010] to [0120].
 Document 2: JP 2003-070117 (Raychem Optimal Co., Ltd.), 30 October 2003, paragraph [0004].
 Document 3: JP 2004-212130 A (Toshiba Machine Co., Ltd.), 16 December 2004, paragraphs [0008] to [0011].

The inventions set forth in claims 1, 4, 5, 6 and 7 do not involve an inventive step in the light of documents 1 to 3 cited in the international search report.

In the written response dated 26 January 2006, the applicant asserts that the inventions set forth in the present application have a structure wherein a portion of each TiC particle is exposed.

However, claims 1, 4, 5, 6 and 9 only stipulate that the TiC particles are exposed in particular form, and do not stipulate that the inventions set forth therein have a structure wherein a portion of each TiC particle

1. The following statement under Article 35(1) with regard to novelty, inventive step or, where applicable, readiness for industrial application, supporting facts to substantiate:

is contained:

Furthermore, the oxide particles that are involved in the surface layer side of the planned thin-film formation described in document 1 can be said to be better in particularity form.

On the other hand, the inventions set forth in claims 1, 2, 3, 4 and 10 to 13 are not disclosed in any of the documents that are cited in the international search report, and could not have been obvious to a person skilled in the art.